

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of B.C., D.G., and D.G., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

DENISE ARTHUR,

Respondents-Appellant,

and

JOHN COLLINS and EARL GAINES,

Respondents.

UNPUBLISHED

January 31, 2003

No. 241277

Genesee Circuit Court

Family Division

LC No. 88-079161-NA

Before: Cooper, P.J., and Bandstra and Talbot, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i). We affirm.

The trial court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence established that respondent-appellant, who had a lengthy history of substance abuse, never completed substance abuse treatment and never submitted any drug screens to the FIA. There was also evidence that respondent-appellant did not maintain contact with her FIA caseworker and only attended one supervised visitation.

Further, because at least one ground for termination was established, the trial court was required to terminate respondent-appellant's parental rights unless it found that termination was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 364-365; 612 NW2d 407 (2000). Rather, there was evidence that the children expressed a desire to continue living with their uncle and that the children were "happy" and "appropriate" in this

foster care placement. Thus, the trial court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Jessica R. Cooper
/s/ Richard A. Bandstra
/s/ Michael J. Talbot